



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,359	08/08/2001	Byoung Wook Kim	K-0311	2866
34610 7590 04/12/2007 KED & ASSOCIATES, LLP P.O. Box 221200 Chantilly, VA 20153-1200			EXAMINER VAN BRAMER, JOHN W	
			ART UNIT	PAPER NUMBER
			3622	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/12/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/923,359

Applicant(s)

KIM ET AL.

Examiner

John Van Bramer

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-9, 18 and 30-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-9, 18 and 30-36 is/are rejected.
- 7) ☒ Claim(s) 5, 18, 30, 32, and 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 2, 2007 has been entered.

Response to Amendment

2. The amendment filed on February 2, 2007 has cancelled no claims. Claims 5, 7, 8, 18, 30, and 32 and 35 have been amended. New Claim 36 was added. Thus, the currently pending claims addressed below are Claims 5-9, 18, and 30-36.

Claim Objections

3. The amendment filed on July 10, 2006 has overcome the objection to Claims 7 and 8 raised in the Office Action dated March 10, 2006. Therefore, this objection is hereby withdrawn.
4. Claims 5, 18, 30, 32, and 36 objected to because of the following informalities: The claims recite transmitting information from the local content

provider network over the Internet to an Internet Protocol(IP) of the client's mobile phone. The issue is that an Internet Protocol (IP) is merely a packet-based protocol for transmitting data across a network. A mobile phone cannot have an Internet Protocol. A mobile phone can encapsulate data to be sent using an Internet Protocol, and de-capsulate data received that has been encapsulated using an Internet Protocol. But data cannot be sent to an Internet Protocol. The examiner has interpreted the limitation to mean that the data is sent to the mobile phone. Perhaps the intent of the applicant was to use the term network address or IP address. However, since the data is being sent over the Internet to an end point (the mobile phone), the use of the terms network address or IP address would be inherently included in the examiners interpretation presented above. The examiner suggests amending the claims to recite: "Transmitting the collected information from the local content provider network to the client's mobile phone via the Internet".

Claim Rejections - 35 USC § 112

5. The amendment filed on Jul 10, 2006 failed to correct the 35 U.S.C. 112 rejection of Claim 35 raised in the Office Action dated March 10, 2006. Therefore the rejection is maintained. Claim 32 recites the steps of connecting to the internet via a mobile phone, registering a standard location via a connection to a base station, continuously confirming a users present location, confirming a difference in space and time between the registered position and the present position and

Art Unit: 3622

performing a service based on this confirmation. Claim 35 then tries to assert that the service performed may include providing information of emails received from the registered standard location. However, a registered standard location does not inherently have the ability to send emails and as such the dependent claim must disclose such limitations. Additionally, a registered standard location does not inherently have the ability to receive emails and as such the dependent claim must disclose such limitations. Finally, the location has only been registered; there is no claimed steps that indicate that any functional interaction between the claimed invention and a registered standard location aside from the confirmation of time and distance. Is there a device residing at the standard location that can perform some type of function? The examiner is interpreting the standard location to be a point on a map, which allows for the time and distance functions to be enabled.

6. Claims 7 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 includes a situation in which the special information consists of just information effective only in the corresponding region. However, Claims 7 and 8 attempts to broaden the claim by extending the special information to require "information of the current traffic conditions in the region" and "information of each road in the region" respectively. This is indefinite because the "at least one of" language in claim 6 is no longer the proper recitation of the limitation. When, as per the current limitation in claim 6, the

Art Unit: 3622

special information is only "information effective only in the corresponding region", the limitations of claims 7 and 8 would require that the special information be at least two of the recited group.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 5-9, 18 and 30 – 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Fan et al. (U.S. Patent Number: 5,959,577).

Claim 5: Fan discloses an operating method of an informative service system comprising:

- a. Connecting to the Internet by a client using a mobile phone of the client, the connection being to a server network on the Internet, the client requesting special information. (Col 1, lines 6-11; Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)

- b. Continuously confirming by the server network the location of the client's mobile phone set to receive various services based on request. (Col 3, lines 11-46; and Col 6, lines 49 – 61) (Additionally such confirmation is inherent in any cellular phone network in order to provide two-way communication, the location of the base station in which to transmit packets is required.)
- c. Collecting the special information required for supply of traffic information in a region through a local content provider network constructed in the region when it is confirmed through a pilot signal transmitted from the client's mobile phone that the client's mobile phone enters the region. (Col 1, lines 6-11; Col 3, lines 10-45; Col 4, lines 4-65; Col 6, lines 49-61; and Col 9, line 49 through Col 10, line 21)
- d. Transmitting the collected information from the local content provider network over the Internet to the client's terminal. (Col 1, lines 6-11; Col 3, lines 10-45; Col 4, lines 4-65; Col 6, lines 49-61; and Col 9, line 49 through Col 10, line 21)

Claim 6: Fan discloses the method according to claim 5, wherein the special information is at least one of information effective only in the corresponding region, information of the current traffic conditions in the region, information of each road in the region and information of the current conditions of each road. (Col 4, lines 4-65; Col 6, lines 49-61)

Claim 7: Fan discloses the method according to claim 6, wherein the special information comprises the information of each road in the region, the information of

the current traffic conditions in the region further comprising information under a traffic control condition. (Col 4, lines 4-65; Col 6, lines 49-61)

Claim 8: Fan discloses the method according to claim 6, wherein the special information comprises the information of each road in the region, the information of each road further comprising information of driving speed limit, information of no-parking areas, information of one-way traffic and map data of the above information. (Col 4, lines 4-65; Col 6, lines 49-61)

Claim 9: Fan discloses the method according to claim 6, wherein information of the current traffic conditions is information of road conditions due to road construction in the corresponding region and map data of the above information. (Col 4, lines 4-65; Col 6, lines 49-61)

Claim 18: Fan discloses an operating method of an informative service system for providing requested information to an owner of a mobile phone comprising:

- a. Connecting to the Internet by an owner using a mobile phone of the owner, the connection being to a server network on the Internet. (Col 1, lines 6-11 and Col 9, line 49 through Col 10, line 21)
- b. Requesting special information within a region by the owner of the mobile phone entering the region, the request being to the server network through

Internet connection using the mobile phone through a base station. (Col 9, line 49 through Col 10, line 21) (The disclosed invention is able to be operated over a cellular telephone network and is mobile, therefore, it is a mobile phone.)

- c. Receiving the request for special information through the server network from the mobile phone. (Col 3, lines 11 – 46; and Col 5, line 53 through Col 6, line 32)
- d. Confirming the present position of the owner's mobile phone by the server network by confirming the base station through which the mobile phone is connected through a channel connected with the mobile phone. (Col 3, lines 11 – 46) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
- e. Searching for the requested information at a local content provider network from information stored on the basis of information received from the server network. (Col 3, lines 11-46; and Col 4, line 66 through Col 5, line 21)
- f. Transmitting data of the requested information to the local CP network and transmitting the data of the requested information from the local CP network over the Internet to an Internet Protocol (IP) of the mobile phone. (Col 3, lines 11 – 46)

Claim 30. Fan discloses an information service system comprising:

- a. Connecting to the Internet by a client using a mobile phone of the client, the connection being to a server network on the Internet. (Col 1, lines 6-11 and Col 9, line 49 through Col 10, line 21)
- b. A database storing information of a standard location registered by the client using the mobile phone, information of critical value of a difference in time and space from the standard location and information related with services provided according to the difference in time and space. (Fan: Col 4, lines 41 – 54)
- c. Position confirming means for detecting the present position of the client by confirming a base station through which the mobile phone is connected through a channel connected with the mobile phone. (Fan: Col 3, lines 11-46; and Col 3, line 46 through Col 4 line 40) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
- d. Time measuring means for counting time exceeding the critical value from the standard location registered by the client. (Fan: Col 4, lines 55 – 65)
- e. Information obtaining means for obtaining information of services set according to the difference in time and space confirmed by the position confirming means and the time measuring means. (Fan: Col 2, line 60 through Col 3, line 16)

- f. Information transmitting means for transmitting the obtained information to via the Internet to an Internet Protocol of a mobile phone of a client. (Fan: Col 5, lines 15 – 20; and Col 6, lines 6-40)

Claim 31. Fan discloses the system according to claim 30, wherein all of the means are constructed according to the environment of a mobile communication system based on various networks. (Fan: Col 2, lines 60 – 67)

Claim 32. Fan discloses an operating method of an informative service system comprising:

- a. Connecting to the Internet by an owner using a mobile phone of the owner, the connection being to a server network on the Internet. (Col 1, lines 6-11 and Col 9, line 49 through Col 10, line 21)
- b. Registering a standard location by the client using the mobile phone via a connection to a base station. (Col 6, lines 49 – 61)
- c. Continuously confirming the present position of the client by confirming the base station through which the mobile phone of the client is connected through a channel connected with the mobile phone. (Col 3, lines 11-46; and Col 6, lines 49 – 61) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)

- d. Confirming a difference in time and space between the confirmed present position of the client and an initially registered standard location. (Col 6, lines 49 – 61)
- e. Performing a service set according to an exceeded difference if the confirmed difference in time and space exceeds a critical value of a set difference in time and space, the service being performed over the Internet to an Internet Protocol (IP) of the mobile phone. (Col 6, lines 49 – 61)

Claim 33. Fan discloses the method according to claim 32, wherein the confirming the present position of the client is performed according to a period for confirming the set present position or performed according to a request of the client. (Col 3, lines 11 – 46)

Claim 34. Fan discloses the method according to claim 32, wherein the confirming a difference in time and space between the confirmed present position of the client and an initially registered standard location is performed by confirming whether or not the client is out of the set critical distance from the initially registered standard location. (Col 6, lines 49 – 61)

Claim 35. Fan discloses the method according to claim 32, wherein the service set according to the exceeded difference further comprises service for providing at least one of information of various e-mails received from the registered

standard location to an account of the client's at a time point exceeding the critical value of the set difference in time and space, information of available restaurants at a location where the client is located if it is a mealtime, and information of traffic for returning the client to the standard location. (Col 6, line 62 through Col 7, line 20)

Claim 36: Fan discloses a method for providing regional information to a user of a mobile phone comprising:

- a. Registering a location of a mobile phone of a user. (Col 6, lines 49 – 61)
- b. Continuously confirming a present location of the user by identifying a base station through which the mobile phone of the user is currently connected. (Col 3, lines 11-46; and Col 6, lines 49 – 61) (Additionally such confirmation is inherent in any cellular phone network in order to provide two way communication, the location of the base station in which to transmit packets is required.)
- c. Requesting special information within a region by the user of the mobile phone entering the region, the request being through an Internet connection to a server network using the mobile phone. (Col 1, lines 6-11; Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- d. Receiving the request for special information at the server network from the mobile phone. (Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- e. Confirming the present location of the user's mobile phone by the server network by confirming the base station through which the mobile phone is connected. (Col 3, lines 10-46; Col 3, line 58 through Col 4, line 40)

- f. Searching for the requested special information at a local content provider (CP) network from information stored on the basis of information received at the server network. (Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- g. Transmitting data of the requested special information to the local CP network. (Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- h. Connecting the mobile phone to the local CP network. (Col 1, lines 6-11; Col 3, lines 10-45; and Col 9, line 49 through Col 10, line 21)
- i. Transmitting the data of the requested special information from the local CP network to the Internet connection of the mobile phone, wherein the special information comprises at least one of information effective only in the corresponding region, information of the current traffic conditions in the region, information of each road in the region, and information of the current conditions of each road. (Col 1, lines 6-11; Col 3, lines 10-45; Col 4, lines 4-65; Col 6, lines 49-61; and Col 9, line 49 through Col 10, line 21)

Response to Arguments

- 9. Applicant's arguments with respect to claims 5-9 have been considered but are moot in view of the new ground(s) of rejection.
- 10. Applicant's arguments filed February 2, 2007 have been fully considered but they are not persuasive.

Art Unit: 3622

a. The applicant argues that Fan does not teach the newly amended limitation "connecting to the Internet by an owner using a mobile phone of the owner, the connection being a server network on the Internet". However, Fan discloses in Col 5, lines 53-55 that the "Data network can be a wide area data network, such as the Internet". Additionally, Fan discloses transmitting the data over cellular networks in Col 5, line 53 through Col 6, line 5; as well as the necessary components and functionality of the device that indicate it is a mobile phone in Col 10, lines 4-20.

Conclusion

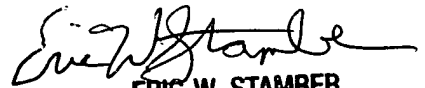
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 6am - 4pm Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EVB
jvb


ERIC W. STAMBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600